



**SPECIAL MEETING
MILPITAS CITY COUNCIL**

TUESDAY, DECEMBER 13, 2016

**455 EAST CALAVERAS BOULEVARD, MILPITAS, CA
5:00 P.M. CLOSED SESSION
6:00 P.M. PUBLIC MEETING**

SUMMARY OF CONTENTS

I. CALL TO ORDER/ROLL CALL (5:00 p.m.)

II. ADJOURN TO CLOSED SESSION

(a) CONFERENCE WITH LABOR NEGOTIATORS - COLLECTIVE BARGAINING

Pursuant to California Government Code Section 54957.6

City Negotiators: Tom Williams, Tina Murphy

Employee Groups: (1) Milpitas Police Officers Association; and (2) International Association of Fire Fighters

Under Negotiation: Wages, Hours, Benefits, and Working Conditions

(b) CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION

Pursuant to California Government Code Section 54956.9(d)(4). City as Plaintiff

(c) CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION

Pursuant to California Government Code section 54956.9(d)(1)

City of Milpitas' appeal of City of San Jose Planning Director Decision, San Jose Planning Commission, file no. PD 14-014

III. CLOSED SESSION ANNOUNCEMENT: Report on any action taken in Closed Session, if required pursuant to Government Code §54957.1, including the vote or abstention of each member present

IV. PLEDGE OF ALLEGIANCE (6:00 PM)

V. INVOCATION (Vice Mayor Montano)

VI. APPROVAL OF COUNCIL MEETING MINUTES - November 14, 2016

VII. APPROVAL OF AGENDA/CONSENT CALENDAR

- * 1. Adopt a Resolution Supporting Effort to Declare a National Heritage Area in Santa Clara County (Staff Contact: Tom Williams, 408-586-3050)**

VIII. REPORT OF ELECTION RESULTS AND CERTIFYING RESOLUTION

- 2. Report of Municipal Election Results of November 8, 2016, and Adopt a Resolution to Certify Final Results of Candidate and Ballot Measure Election (Staff Contact: Mary Lavelle, 408-586-3001)**

IX. PRESENTATIONS

X. SWEARING-IN OF MAYOR RICHARD TRAN

XI. SWEARING-IN OF NEWLY ELECTED CITY COUNCILMEMBERS

- City Councilmember Anthony Phan
- City Councilmember Bob Nuñez

XII. REMARKS FROM THE MAYOR

*** Break for Reception and Refreshments in City Hall Lobby Rotunda ***

XIII. PUBLIC FORUM

Members of the audience are invited to address the Council on any subject not on tonight's agenda. Speakers must come to the podium, state their name and city of residence for the Clerk's record, and limit their remarks to three minutes. As an item not listed on the agenda, no response is required from City staff or the Council and no action can be taken. However, the Council may instruct the City Manager to place the item on a future meeting agenda.

XIV. ANNOUNCEMENTS

XV. ANNOUNCEMENT OF CONFLICT OF INTEREST

XVI. ELECTION OF VICE MAYOR

XVII. NEW BUSINESS

3. Receive Report from City Clerk Regarding City of Milpitas Commissions (Staff Contact: Mary Lavelle, 408-586-3001)

XVIII. ADJOURNMENT

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review. For more information on your rights under the Open Government Ordinance or to report a violation, contact the City Attorney's office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas, CA 95035
e-mail: cdiaz@ci.milpitas.ca.gov / Phone: 408-586-3040

The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website www.ci.milpitas.ca.gov by selecting the Milpitas Municipal Code link.

Materials related to an item on this agenda submitted to the City Council after initial distribution of the agenda packet are available for public inspection at the City Clerk's office at Milpitas City Hall, 3rd floor 455 E. Calaveras Blvd., Milpitas and on the City website.

All City Council agendas and related materials can be viewed online here:
www.ci.milpitas.ca.gov/government/council/agenda_minutes.asp (select meeting date)

APPLY TO SERVE ON A CITY COMMISSION

Seeking applications for: Sister Cities Commission
Commission application forms are available online at www.ci.milpitas.ca.gov or at Milpitas City Hall.
Contact the City Clerk's office at 408-586-3001 for more information.

If you need assistance, per the Americans with Disabilities Act, for any City of Milpitas public meeting, call the City Clerk at 408-586-3001 or send an e-mail to mlavelle@ci.milpitas.ca.gov prior to the meeting. You may request a larger font agenda or arrange for mobility assistance. For hearing assistance, headsets are available in the City Council Chambers for all meetings in that facility.

AGENDA REPORTS

VII. CONSENT CALENDAR

- * 1. Adopt a Resolution Supporting County-wide Effort to Declare a National Heritage Area (Staff Contact: Tom Williams, 408-586-3050)**

Background: On December 3, 2016, City Council received a request from County officials for support of the effort to declare a National Heritage Area within Santa Clara County, including the City of Milpitas. A Committee was working to submit an application to the National Park Service to seek this designation. Support from all cities within the County were sought. City Council directed staff to return at this meeting with a resolution in support of the effort.

Recommendation: Adopt a resolution in support of a National Heritage Area designation for Santa Clara County.

VIII. REPORT OF ELECTION RESULTS AND CERTIFYING RESOLUTION

- 2. Report of Municipal Election Results of November 8, 2016, and Adopt a Resolution to Certify Final Results of Candidate and Ballot Measure Election (Staff Contact: Mary Lavelle, 408-586-3001)**

Background: A general municipal election was held in the City of Milpitas on Tuesday, November 8, 2016 for the offices of Mayor and two members of the City Council, and four ballot measures. Final election results reveal the candidates elected by the voters of Milpitas were Rich Tran as Mayor, and Bob Nuñez and Anthony Phan as new City Councilmembers. Mr. Tran was elected from a field of five candidates, and Mr. Nuñez and Mr. Phan were elected from a field of six candidates. Certified final results are included with the Resolution presented for adoption at this meeting (in the agenda packet). The Santa Clara County Registrar of Voters certified the final election results on Thursday, December 8, 2016 exactly 30 days following the election, as required by California Elections Code.

Also on the ballot were the four Ballot Measures I, J, K and L, all of which were approved by Milpitas voters.

The City Council is asked to confirm the Official Canvass of Returns of the November 8, 2016 Municipal Election by Resolution. Certified election results submitted to the City Clerk by the Santa Clara County Registrar of Voters are attached to the Resolution in the agenda packet.

Recommendations:

1. Receive from the City Clerk an oral report of election results and voter turnout.
2. Adopt a resolution confirming the official canvass of election returns and declaring the results of the General Municipal Election held on November 8, 2016.

XVIII. NEW BUSINESS

- 3. Receive Report from City Clerk Regarding City of Milpitas Commissions (Staff Contact: Mary Lavelle, 408-586-3001)**

Background: City Clerk will provide a report to the Mayor and City Councilmembers regarding the 14 City of Milpitas Commissions to review the purpose, make-up, by-laws and appointment process for all of these Council-appointed Commissions. A copy of the Commissions roster is included in the agenda packet.

City Clerk will also identify organizations outside of the City to which Councilmembers have been appointed by the Mayor. A list of those Committees and groups is included in the agenda packet.

Recommendation: Hear report from City Clerk.

**NEXT REGULARLY SCHEDULED COUNCIL MEETING
TUESDAY, JANUARY 3, 2016**